

HOUSE BILL 2052  
By McMillan

AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 37 and Title 49, relative to Tennessee Preparatory School.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-6-110, is amended by deleting the language ", the Tennessee Preparatory School".

SECTION 2. Tennessee Code Annotated, Section 8-30-101(23)(H), is amended by deleting the language ", the Tennessee Preparatory School".

SECTION 3. Tennessee Code Annotated, Section 8-50-935, is amended by deleting the language ", the Tennessee Preparatory School".

SECTION 4. Tennessee Code Annotated, Section 37-5-106, is amended by deleting item (16) in its entirety.

SECTION 5. Tennessee Code Annotated, Section 37-5-121, is amended by deleting such section in its entirety.

SECTION 6. Tennessee Code Annotated, Section 37-5-503(4), is amended by deleting the language " and provided further, that the Tennessee Preparatory School is not excluded from approval pursuant to this part;".

SECTION 7. Tennessee Code Annotated, Section 49-1-214(d), is amended by deleting the language ", the School for the Deaf and the Tennessee Preparatory School" in its entirety and by substituting instead the language "and the School for the Deaf".

SECTION 8. Tennessee Code Annotated, Section 49-50-1001, is amended by deleting such section in its entirety and by substituting instead the following:

Section 49-50-1001. It is the duty of the state board of education to:

(1)

(A) Control the Tennessee School for the Blind, the Tennessee School for the Deaf and the Alvin C. York Agricultural Institute; to elect, on the recommendation of the commissioner, the president, superintendents, teachers, officers, and other employees for such schools; to fix, on the recommendation of the commissioner, the salaries and term of office of such officers and employees; and to prescribe curricula and other requirements for diplomas and degrees.

(B) For the purposes of this part, the following definitions apply:

(i) "Commissioner" means the commissioner of education in any reference to the Tennessee School for the Blind, Tennessee School for the Deaf and the Alvin C. York Agricultural Institute;

(ii) "Department" means the department of education in any reference to the Tennessee School for the Blind, Tennessee School for the Deaf and the Alvin C. York Agricultural Institute.

(2) Receive donations of money, property or securities from any source for the benefit of the institutions named in subdivision (a)(1), which funds it shall, in good faith, disburse in accordance with the conditions of such gifts. Subject to the terms and conditions of legislative appropriations therefore, the board shall have the power to purchase land, to condemn land, erect buildings and equip the same for the schools on such terms as it may deem advisable and advantageous

and to pay for the same out of funds appropriated or donated to or for the schools; and the board shall be vested with title to property so purchased or acquired;

(3) Administer the Tennessee School for the Blind, the Tennessee School for the Deaf and to exercise with respect to these schools all the powers conferred upon it by § 12-1-109 and chapter 10, parts 8 and 9 of this title. Any funds or appropriations for the maintenance, improvement and operation of these institutions shall be added to those made for other educational purposes to be expended under the direction of the state board of education;

(4) Approve the budgets of the Tennessee School for the Blind and the Tennessee School for the Deaf before they are submitted to the governor and commissioner of revenue for approval and transmission to the general assembly;

(5) Develop and adopt rules and regulations to achieve for the school year a duty-free lunch period for all teachers, kindergarten (K) through grade twelve (12), of at least the length of the student lunch period, during which time the teacher has no other assigned responsibilities;

(6) Employ elementary guidance counselors consistent with the requirements for local education agencies set forth in § 49-6-363; and

(7) Promulgate rules providing employees of the Tennessee School for the Blind, the Tennessee School for the Deaf, the Alvin C. York Institute, and any other special school hereafter established, the right to appeal decisions of the commissioner relative to adverse job actions, to the full board. Rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. Appeals filed pursuant to rules promulgated in compliance with this section shall be contested cases under title 4, chapter 5, part 3.

SECTION 9. Tennessee Code Annotated, Section 49-50-1002(a), is amended by deleting the language and punctuation "the Tennessee Preparatory School,".

SECTION 10. Tennessee Code Annotated, Section 49-50-1003(a), is amended by deleting the language and punctuation "the Tennessee Preparatory School,".

SECTION 11. This act shall take effect upon becoming law, the public welfare requiring it.